



St Quintin and Woodlands Neighbourhood Forum

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Jonathan Bore
Executive Director Planning
RB Kensington and Chelsea
Town Hall, W8

9th February 2015

Dear Jonathan,

StQW Draft Neighbourhood Plan — your email of 6th February

This letter accompanies our separate letter of the same date, which responds to certain of the points you made in the above email on how the Council intends to approach the Examination stage of the StQW Draft Plan. This second letter responds to comments you make in your email about specific policy proposals in the Draft Plan.

The StQW Draft Plan includes three main sets of policies, all of which we have been discussing with the Council for many months and two of which you say the Council remains strongly opposed to and wants us to drop. The three are:

- Some variations to RBKC conservation policies, which are now accepted as ‘non-strategic’ and likely to proceed
- Three proposed designations for Local Green Space, one of which officers have previously said is unlikely to meet NPPF criteria. In the Council’s latest comments no view is stated either way and it is left to the Forum to make the case to an Examiner of the Draft Plan.
- A set of policies for Latimer Road, which would have the effect of widening sub-clause (j) in RBKC CF5, removing the current EZ designation for four sections of this mixed use street, retaining all commercial space on all ground floors and allowing change of use to residential on upper floors. Plus a related Housing policy, which would allow for the redevelopment of Units 1-14 to include housing above, with a linked policy on acceptable building heights.

The StQW Forum has been refining these proposed policies for 18 months, following a residents survey. They have been presented, discussed, and in many cases voted on at a series of open meetings of the Forum. An eight week public consultation on the Draft Plan prompted 90 responses, all but a handful of which were supportive.

Those responses raising objections and qualifications were discussed further at an open meeting on February 5th with 80 people present, including 2 ward councillors. Further votes were taken on four issues (two significant and two fairly small conservation matters). On the significant issues there were 3 votes against on one issue, and unanimous support on the other.

We hope that you understand why we are not intending to drop or remove from the Draft Plan these key elements, prior to an independent Examination. This letter does not repeat all the justification we may have made for these proposals, in the Draft Plan and in correspondence. It concentrates on what you have said in your latest email.

Open Spaces

We fully understand that the Council thinks that the Nursery Lane does not meet all three LGS criteria. The Examiner of the StQW Draft Plan will have to decide on this. Much will hinge in whether the StQW Draft plan and consultation responses show that this land is 'demonstrably special' to the local community. The consultation responses on the Draft Plan will be an important part of the evidence base.

We are very concerned to see your views on this land as expressed in your latest email. You say '*the site is not an existing open space*'. Do you mean not a space open to the public, or do you mean it is not private open space that would be covered by RBKC Policy CF5? Consultants acting for the owners and potential developer of the site have argued strenuously that the land is not open space of any kind. Your officers, in all the correspondence and meetings on this site, have told us that Policy CF5 will apply if and when any planning application comes forward.

The RBKC 'formal comments' on the StQW Draft Plan sent to us on January 23rd say clearly that any development proposals on all three of the three remaining backland sites '*will be assessed with these policies (referring to CR5, CL1 and CR3) in mind*'.

Please reassure us swiftly that this January 23rd statement stands and that the Council sees all three of the remaining backlands on the St Quintin Estate as 'open space' for the purposes of RBKC CF5. We wait to see the extent to which the Oxford Garden draft CAA re-confirms the statements in the present CAPS on the importance of these sites to the conservation area.

At the Forum's open meeting last Thursday, there was near unanimous support for the addition of a StQW Policy to the section of the Draft Plan on Open Space. The draft wording reads "*Housing development on the three remaining original backlands of the St Quintin Estate (land north of Nursery Lane, land off Kelfield Gardens and land off Highlever Road) will not be permitted.*"

This repeats, almost exactly, the wording of the 'policy statement' in the Oxford Gardens CAPS. We find it hard to see how the policy could fail to 'generally conform' or why it would not meet the Basic Conditions. Jon Wade is due to get back to us, in the event of any evidence surfacing to show that the Council has formally revoked its stated policy position in the Oxford Gardens CAPS.

The above proposed policy will sit alongside the proposed LGS designation in the StQW Plan. In the event that it succeeds and the LGS designation fails at examination, the scope for development on the Nursery Lane land would remain. But it would need to be something other than housing. As you may know, the neighbouring residents made a bid for the land as a form of 'garden square' and there are various permutations that can be considered on this in terms of levels of public access and use by local schools. Part use of the land for Social and Community use, redeveloping the adjoining sheltered housing, would be another option.

The public at our meeting last week would have been deeply disappointed (and angry) to hear you say, as in your email, that the land at Nursery Lane '*has little public benefit.... is seen from some private rear windows but contributes little if anything to the character, appearance or visual amenity of the area*'. As per my earlier email and photos, the site is looking far from its best at present, in winter and covered in rubbish. Clifton Nurseries assure us that this has nothing to with the developer's planning consultants and their negative view on the amenity value of this 'degraded' site. Clifton have promised to do a clean-up before they leave the site. The Examiner will see photos of the site in summer, with the line of mature willows and the many other trees in full leaf.

There are 42 houses and 35 sheltered flats directly overlooking this piece of land. Many of the responses

to the StQW consultation refer, in detail, to this land. There are 641 signatures on the relevant petition on the RBKC website, and more on the paper version. So the Examiner will have other views to weigh up, beyond those of your Department, the site owners and the potential developer.

Latimer Road

We have been over this ground many times. When your email arrived we were about to invite you and Cllr Coleridge to come on a walkabout and a presentation at one of the 14 light industrial/warehouse units. The interior of this recently converted building, coupled with the slides of feasibility work done, would show you

- how units 1-14 can become attractive office space of the kind that small businesses in the creative industries seek (if willing to accept the locational drawbacks of Latimer Road)
- how each of these units can accommodate 40 plus staff in a high quality environment
- how each unit could be redeveloped with additional floors to provide 10 housing units on each landholding, at height levels considered acceptable to those living on the opposite side of the street (at the rear the units back onto the railway line, as you know).

The strong view at last week's public meeting, and from the StQW consultation responses, is that compared with the current London Realty proposal for Nursery Lane, the option of additional housing in Latimer Road makes far more sense. It would be significantly more housing (the StQW Plan gives a realistic estimate of 40-60 units, allowing for the fact that not all 14 building owners would want necessarily want to redevelop. It would be housing of a type and cost that people in the area want to see built.

To date, we have seen nothing from your officers that explains why the Council would **not** want to see more housing in Latimer Road—apart from the fact that in the late 1990s four sections of the street were 'zoned' for Employment use. We think an independent Examiner of the StQW Plan will look at this issue with a more open mind.

We believe that we can also satisfy and Examiner that the StQW policies would lead to an **increase** in employment in Latimer Road (from the successful redevelopment of several of Units 1-14). The upper floors of the existing 1980s office buildings contain only around 100 staff.

We also believe that an Examiner will accept that a StQW policy that extends sub-section (j) of RBKC CF5 comes nowhere near 'undermining' the Council's strategic Enterprise policies. The change would be from present sub-clause which permits A and D class uses which *'directly support the EZ'* to a policy which allows such uses where they *'contribute to the vitality of the street and to the wider neighbourhood area'*. Not an 'undermining' policy change, in our view.

The January 23rd RBKC comments say the StQW proposed policy is 'superfluous'. We don't agree, as the new wording is wider, and easier to understand. But we cannot see how the Council can argue at Examination that the proposed StQW policy is both 'superfluous' and 'in conflict' with RBKC policy at one and the same time?

Once this argument is accepted, we cannot see why the Council is so reluctant to consider de-designation of the four sections of the Freston/Latimer EZ located in Latimer Road? What purpose would this designation continue to serve? One of the public at our last meeting rightly pointed out that in a Plan with an expected 5 year lifespan, we need to allow for the eventuality of RBKC losing its exemption on office to residential. Local people want to see more housing in the street, but not the loss of commercial uses on the ground floor of existing buildings. So we will put in the Plan an 'Action' to request the Council to introduce an Article 4 to secure this outcome.

This could also define which parts of the street would be required to retain buildings with ground floor commercial use.

If we then proposed some new designation for these parts of the street, as other neighbourhood plans have done (*'Latimer Road Creative Quarter'* perhaps?) would you and your Department find the proposed removal of the EZ designation more acceptable?

We again ask you (and Cllr Coleridge) to look at the StQW Plan as a whole, and not simply in terms of which existing RBKC policies would vary as and when it is 'made'.

The Plan proposes many more potential housing units than the 21 which London Realty propose at Nursery Lane, would bring more jobs to Latimer Road, and would maintain existing RBKC policy commitments on the backland sites. Your email ends by making very clear that *'the Council will stand by these points at Examination'* but nothing we have received to date explains *why* it should wish to, in terms of real outcomes?

What can we do to break this impasse? Your email tells us we should drop our proposals and instead *'engage with us (the Council) on the review of business policy'*. This is rather adding insult to injury. We 'engaged' with the first Issues and Options paper in 2012, sent in a submission, and were the only people to come to the Council's consultation workshop. We engaged again this time round, sent in a further submission and encouraged other local residents and businesses to do the same.

The suggested walkabout and presentation at Unit 11 Latimer Road is one suggestion. Another would be to let us come and present to an informal session of Planning Committee members, on neighbourhood planning generally and on the key features of the StQW Plan, during the 6 week RBKC publicity period and before the Examination. We would send you the slides in advance, so as to avoid any rows in front of councillors. We are not sure whether councillors have yet had any training or induction session on neighbourhood planning?

We await a response to this and our second letter, and will be sending Joanna Hammond a draft of the StQW Consultation Statement in the next few days. This will set out all the consultation comments received, and our reply to them. Jo already has a copy of our detailed reply to all the RBKC comments.

Yours sincerely,

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cc Cllr Tim Coleridge,

Cllr Robert Thompson (Member of Planning Committee and PRSC, and Dalgarno ward councillor)
Amanda Frame, Michael Bach, Kensington Society